

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

GAYLON BOYD,

Plaintiff,

v.

NANCY A. BERRYHILL,

Acting Commissioner of Social Security,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

No. 1:16CV252 RLW

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Motion for an Award of Attorneys' Fees and Other Expenses under the Provisions of the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 (ECF No. 21). Defendant has filed a response indicating that she has no objection to Plaintiff's request.

On March 21, 2018, this Court reversed the Commissioner's decision and remanded Plaintiff's case for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$2,096.75, which represents 0.45 attorney hours incurred in 2016, 8.15 attorney hours incurred in 2017, and 5.50 paralegal hours. Defendant filed a response to Plaintiff's motion, stating that she has no objection to an award of \$2,096.75 to be paid by the Social Security Administration.


In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. *Kelly v. Bowen*, 862 F.2d 1333, 1335 (8th Cir. 1988). The Court finds that Plaintiff is entitled to EAJA fees in the amount of \$2,096.75, payable to the Plaintiff as the prevailing party. *See Astrue v. Ratliff*, 560 U.S. 586, 593 (2010) (holding that EAJA fees are payable to the prevailing party and may be subject to offset to satisfy any pre-existing debt owed to the United States).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for an Award of Attorneys' Fees and Other Expenses under the Provisions of the Equal Access to Justice Act (ECF No. 21) is **GRANTED** in the amount of Two Thousand Ninety-Six Dollars and Seventy-Five Cents (\$2,096.75) to be paid by the Social Security Administration.

**IT IS FURTHER ORDERED** that said award shall be made payable to the Plaintiff.

Dated this 1st day of October, 2018.

  
\_\_\_\_\_  
RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE